

**Minutes  
Town of Lake Park, Florida  
Regular Commission Meeting  
December 15, 2004 7:30 p.m.  
Town Commission Chambers, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, December 15, 2004 at 7:30 p.m. Present were Mayor Castro, Vice Mayor Balius, Commissioners Carey, Daly and Garretson, Interim Town Manager Paul Carlisle, Town Attorney Thomas Baird and Town Clerk Stephanie Thomas.

Mayor Paul Castro led the Invocation.  
Vice Mayor Balius led the Pledge of Allegiance.  
Town Clerk Stephanie Thomas performed the Roll Call.

THE TOWN COMMISSION RECESSED THE REGULAR COMMISSION MEETING AND WENT INTO AN ATTORNEY-CLIENT SESSION; AFTER THE ATTORNEY-CLIENT SESSION THE COMMISSION RECONVENED THE REGULAR COMMISSION MEETING AT TIME 8:15 pm

**ADDITIONS/DELETIONS - APPROVAL OF AGENDA**

**Motion:** A motion was made by Commissioner Garretson to approve the December 15, 2004 Agenda. Vice Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

**PRESENTATIONS:**

**Presentation by the Lake Park Family and Community Partnership Program**

Yualanda Madyun, Family and Community Partnership Coordinator (FCP) and Janice Berry, Family and Community Partnership Supervisor presented the Mayor and Town Commission

with a certificate of appreciation for allowing them to use the Town's facilities to serve the residents of the Town of Lake Park and other surrounding municipalities.

Mayor Castro reiterated how involved FCP has been in the Town. He expressed his appreciation for the services that they have provided and for the certificate that was presented to them.

***Presentation by the American Cancer Society on the Relay for Life event.***

Joanne Simon from the American Cancer Society gave a brief summary on the history of the Relay for Life event. Ms. Simon thanked the Town Commission for allowing the American Cancer Society to host the event in Kelsey Park once again.

There was consensus among the Town Commission to allow the American Cancer Society to hold the 2005 Relay for Life event in Kelsey Park in the month of May 2005. Commissioner Carey recommended that the Town advertise the event in the monthly newsletter.

**PUBLIC COMMENTS**

**The following person(s) addressed the Commission:**

None.

**CONSENT AGENDA**

**Regular Commission Meeting Minutes of November 17, 2004.**

**August 16, 2004 Joint Meeting Minutes between the Town of Lake Park and the City of Palm Beach Gardens.**

**Consensus to dispose of dumpsters as scrap metal.**

**Motion: A motion was made by Commissioner Garretson to approve the Regular Commission Meeting Minutes of November 17, the August 16, 2004 Joint Meeting Minutes between the Town of Lake Park and the City of Palm Beach Gardens and to dispose of the dumpsters as scrap metal.**

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner Daly	X		
Mayor Castro	X		

Motion passed 5-0.

**ORDINANCES ON FIRST READING**

**ORDINANCE NO. 27-2004-Maintenance of Private Property**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 14, ARTICLE I OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, TO CREATE SECTION 14-4 TO BE ENTITLED "MAINTENANCE OF PRIVATE PROPERTY;" PROVIDING FOR THE REGULATION OF THE GROWTH AND ACCUMULATION OF VEGETATION AND DEBRIS ON PRIVATE PROPERTIES WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Public Hearing Opened**

**No speakers.**

**Public Hearing Closed.**

**Motion: A motion was made by Commissioner Garretson to approve Ordinance 27-2004. Commissioner Daly made the second.**

**Vote on Motion:**

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

**Motion passed 5-0.**

**ORDINANCE NO. 28-2004**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 32, ARTICLE V OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, SECTION 32-89 ENTITLED "SUPPLEMENTAL PARKING REQUIREMENTS" TO CHANGE THE REQUIRED PARKING FOR MARINE FACILITIES FROM ONE AND HALF (1.5) SPACES PER WET SLIP TO ONE (1) SPACE PER TWO (2) WET SLIPS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Daly indicated that he cannot support the ordinance at this time largely due to the unresolved issues with the Marina Restaurant. Commissioner Daly stated that there should be an obligation to provide parking to the wet-slip holders. He feels that there could potentially be a parking conflict by patrons that are using the fishing pier, the restaurant, as well as the tenants of the marina. Commissioner Daly also expressed that opening the Marina is the most important issue at this time.

Patience Cohn, Lake Park Harbor-Marina Manager stated that by adopting Ordinance No. 28-2004, she does not feel that it will cause a parking conflict. In response to a question posed by Commissioner Daly, Ms. Cohn stated that water taxing issues have not yet been addressed.

**Public Hearing Opened.**

**No speakers.**

**Public Hearing Closed.**

**Motion:** A motion was made by Vice Mayor Balias to approve Ordinance 28-2004. Commissioner Carey made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balias	X		
Commissioner Carey	X		
Commissioner Daly		X	
Vice Mayor Balias	X		
Mayor Castro	X		

Motion passed 4-1.

## **RESOLUTIONS**

### **RESOLUTION NO. 58-12-04**

**A RESOLUTION OF THE TOWN OF LAKE PARK, FLORIDA, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AND PURCHASE AGREEMENT WITH BANC OF AMERICA LEASING & CAPTIAL, LLC; AUTHORIZING A LEASE OF ONE RECYCLE TRUCK, ONE PICK UP TRUCK, ONE VAN, ONE FRONT LOADER AND TWO MOWERS THEREUNDER; AUTHORIZING THE EXECUTION OF SUCH OTHER DOCUMENTS AS MAY NECESSARY TO COMPLETE THE TRANSACTIONS CONTEMPLATED HERBEY; AND PROVIDING OR AN EFFECTIVE DATE.**

**Motion:** A motion was made by Commissioner Garretson to approve Resolution 52-12-04. Commissioner Daly made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Daly	X		
Commissioner Carey	X		
Vice Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

#### **RESOLUTION 59-12-04**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO SIGN THE FISCAL YEAR 2005 CENTER FOR FAMILY SERVICES OF PALM BEACH COUNTY, INC. EMPLOYEE ASSISTANCE PROGRAM AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Castro briefly summarized the benefits that the Employee Assistance Program offers its participants. Mayor Castro stated that the program is also used as a training mechanism for employees and supervisors.

**Public Hearing opened.**

No speakers present.

**Public Hearing Closed.**

**Motion:** A motion was made by Vice Mayor Balius to approve Resolution 59-12-04. Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Vice Mayor Balius	X		
Commissioner Garretson	X		
Commissioner Carey	X		
Commissioner			

Daly	X		
Mayor Castro	X		

Motion passed 5-0.

#### **DISCUSSION AND POSSIBLE ACTION:**

##### ***Consensus to Authorize the Mayor to Execute the Agreement between the Town of Lake Park and Palm Beach County for the Storm Water System at the Lake Park Harbor Marina.***

Interim Town Manager Paul Carlisle stated that a few years ago the Town applied for the Lake Worth Lagoon Partnership and that the execution of the application would prevent the Town from losing the grant. After brief discussion, there was consensus among the Town Commission.

##### ***Community Redevelopment Agency (CRA) Emergency Bridge Loan Application Form.***

After reviewing the proposed CRA Emergency Bridge Loan Program Application Form, there was consensus among the Town Commission.

#### **COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY**

##### ***Mayor Castro***

Mayor Castro addressed the issue of the fichus trees being replanted in the swales and requested staff to compare quotes with affordable companies to assist residents with the removal of the trees. Mayor Castro explained that the trees cannot be removed unless they are chopped up. Mayor Castro also directed staff to see if the Town can be reimbursed for removing the trees. He recommended that additional fund be allocated to upgrade and improve the 2005 Decorative Holiday Lighting and holiday light sensors. He wished everyone a happy holiday.

##### ***Vice-Mayor Balius***

Vice Mayor Balius requested an update on the operation of Journey's End by Mr. Earl Stewart. Vice Mayor reiterated that outdoor storage should be screened in all commercial areas. He expressed concern with police visibility and requested information on the patrolling strategy for the Town. He wished everyone a happy holiday.

##### ***Commissioner Carey***

Commissioner Carey reminded everyone that Santa Claus would be taking the first annual ride through the residential streets of the Town on December 18, 2004. He wished everyone a happy and safe holiday.

##### ***Commissioner Daly***

Commissioner Daly stated that Stewart Toyota maybe improperly disposing of their parts. Commissioner Daly directed staff to look into repairing the Town-owned 20-mile signal lights. He wished everyone happy holidays.

***Commissioner Garretson***

Commissioner Garretson wishes everyone a happy and safe holiday.

***Town Manager's***

No Comments.

***Town Attorney***

Town Attorney Baird reported that the Rodriguez cases had been dismissed in both state and federal courts. In addition, he stated that the Glisson case has also been dismissed. Mr. Baird wished everyone a happy and safe holiday.


**ADJOURNMENT:**

There being no further business to come before the Commission, after a motion to adjourn by Vice Mayor Balus, seconded by Commissioner Daly, by unanimous vote, the meeting adjourned at 9:06 p.m.

Approved on this 19<sup>th</sup> day of January, 2005.



Mayor Paul Castro

  
Stephanie Thomas, Town Clerk